

Remarks

The Examiner has rejected claims 1-9 and 11 of the present application as being anticipated by U.S. 4,862,535 to Roberts and rejected claims 10 and 12 as being nonobvious over Roberts. The Applicant has added new claims 13-20. Currently pending are claims 1-20. Reconsideration is hereby respectfully requested.

The Examiner alleges that Roberts shows: "a wrap member 200 sized to substantially encapsulate the baby." Applicant traverses the Examiner's assertion. Roberts describes member 200 as an infant torso-encircling sling. Also, Roberts' Figure 1 shows 200 covering the diaper region. This does not anticipate Applicant's "encapsulate." A dictionary definition of encapsulate is: "to encase in or as if in a capsule."

The Examiner alleges that Roberts shows: "said wrap member comprising means 114 for receiving a receiving a support pad..." The Examiner has already stated that the wrap member is element 200 of the Robert's invention. The Examiner at the next reference states that "said wrap member" is element 114. The Examiner must decide whether he considers "wrap member" to be element 114 or 200 of the Roberts reference, not both. The Applicant submits that element 114 also does not show encapsulating the baby. Thus, neither element 114 or 120 show the "encapsulate the baby" limitation of Applicant's claim 1.

The Examiner has also alleged that Roberts discloses: "said support pad so as to support at least the head, neck, and upper back of the baby." The Examiner has failed to indicate what he considers to be the support pad. Applicant surmises that Examiner is referring to support pillow 100. Applicant submits that support pillow does not support at least the head neck, and upper back of the baby. First of all, Applicant states as the problem to be solved as when there is "no support provided while the baby is handed from one person to another," paragraph 0003, lines 9-10. The specification states that: "the baby 104 will remain in approximately the same position in the support system while being held, carried, transferred between two people, or laid on a surface.," paragraph 0032, lines 16-19 and that: "The baby 104 can be held or carried with the support system providing

adequate support at all times." paragraph 0033, lines 9-11, The Roberts reference does not mention holding, carrying, or transferring a baby. Thus, Roberts does not show support for the baby for these activities. Instead, Roberts shows a "system used to secure an infant in an inclined prone position to minimize the occurrence of GER..." column 3, lines 35-37. The support pillow 100 of Roberts has stiffening baffles 117 and 117'. These elements are roughly parallel with each other and would give support in the direction perpendicular to 117 and 117', However, they cannot possibly provide stiffening in the direction along their length and as such, cannot "support at least the head, neck and upper back of the baby."

In regards to Applicant's claim 2, the Examiner alleges that Roberts discloses "...wherein said security means comprises a plurality of panels." The Examiner has not stated what Roberts shows which the Examiner considers to be the panels. Applicant's claim 1 shows "security panel attached to said wrap member which releasably secures the baby in a preselected position on the wrap member." Applicant submits that element 200 of Roberts is possibly what can be considered the wrap member. However, element 200 cannot be both the wrap member and the panel.

The Examiner alleges that Roberts discloses "wherein the means for receiving a support pad comprises a piece of material secured to the wrap member..." The Examiner has stated that the wrap member is element 200 in the Roberts reference. However, element 200 has no means for receiving a support pad. Instead, the baby is secured in element 200.

Applicant submits that Roberts has not shown all the claimed elements of Applicant's claim 1 and therefore has not anticipated claim 1. Applicant requests withdrawal of the rejection to claim 1 and claims 2-12 which depend therefrom.

Applicant has added new claims 13-20. Claim 13 shows the limitation of: "the support pad provides support to at least the head, neck and upper back of the baby." The Roberts reference does not show such limitation. As discussed above, the Roberts reference shows stiffening baffles 117 and 117' which are parallel to each other. As such, they only

provide a modest amount of stiffening in one direction. Applicant submits that claim 13 is in allowable condition as well as claims 14-19 which depend from claim 13. Claim 20 teaches: "a support pad within the pouch wherein the support pad provides support to at least the head, neck, and upper back of the baby during the operations of holding, carrying, and transferring between two people." The Roberts invention is for securing the baby in a prone position, not for the operations of holding, carrying, and transferring between two people. Thus, the Roberts invention does not show a support pad which provides support during those operations. Applicant respectfully requests allowance of claim 20.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard Carlson', with a stylized, cursive script.

Richard Carlson

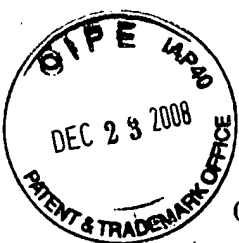
Co-owner of Rita Blue, LLC dba Baby Boo

10/550371 assigned to Rita Blue on 7/18/2005

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Official Patent Communication

Applicant: Ragen

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Examiner: Fredrick C Conley

Title: Baby Support Wrap System

To Whom It May Concern:

Enclosed in this communication is an Information Disclosure Statement, SB08a, filed under the provisions of 37 C.F.R. 1.97(c)(2). Also enclosed with this statement is the fee, per 37 C.F.R. 1.17(p).

Respectfully submitted,

Richard Carlson

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